

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ JUN 26 2012 ★  
BROOKLYN OFFICE

SLR:LDM:KRH  
F.#2010R00826

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA,

FINAL ORDER OF FORFEITURE

- against -

10-CR-480 (JBW)

KENNETH MARSH,

Defendant.

- - - - - X

WHEREAS, on April 14, 2011, the defendant, KENNETH MARSH, entered a plea of guilty before this Court to Count Two of the above-captioned indictment charging a violation of 18 U.S.C. § 1348; and the Forfeiture Allegation contained therein;

WHEREAS, on May 6, 2011, this Court entered a Preliminary Order of Forfeiture pursuant to 18 U.S.C. § 853(p), in which the Defendant agreed to forfeit to the United States the following: (a) All of defendant's right, title and interest in Three Hundred Thirty-Three Thousand Five Hundred Eighteen Dollars and Twenty-five Cents (\$333,518.25), more or less, in United States Currency, and all proceeds traceable thereto to be deposited with the United States Marshals Service, which constitutes proceeds of the sale of property located at 661 and/or 667 Johnston Terrace, Staten Island, New York; (b) All of defendant's right, title and interest in Three Hundred and Eighty-one Thousand Two Hundred and Seventy-Three Dollars and Ninety Cents (\$381,273.90), more or less, in United States

UK Gm

Currency, which constitutes the proceeds of the sale of property at 14 Bayside Lane, Staten Island, New York; (c) All of defendant's right, title and interest in Sixty Thousand Dollars and no cents (\$60,000.00) in United States Currency, more or less, to be deposited with the United State Marshals Service which constitutes proceeds of the sale of one 2007 TWO DOOR BLACK PORSCHE, MODEL 911 TURBO, VIN #: WPOAD29927S783584; (d) All of defendant's right, title and interest in funds on deposit at THINKORSWIM, INC., held in the name of Gryphon Holdings, Inc., Account Number 86784634, and all proceeds traceable thereto; (e) All of defendant's right, title and interest in funds on deposit at TD Bank, held in the name of Falk and Associates, LLC., Special 1, Account Number 4247290127, and all proceeds traceable thereto; (f) All of defendant's right, title and interest in funds on deposit at UBS Financial Services, Inc., held in the name of Kenneth E. Marsh and Nicole F. Marsh, Account Number WE49301FC, and all proceeds traceable thereto; (g) All of defendant's right, title and interest in funds on deposit at UBS Financial Services, Inc., held in the name of Kenneth E. Marsh and Nicole F. Marsh, Account Number XL49301T1, and all proceeds traceable thereto; (h) All of defendant's right, title and interest in all funds on deposit at UBS Financial Service, Inc., held in the name of Nicole Marsh, Account Number 8000178896-9, and all proceeds traceable thereto; and

(i) All of defendant's right, title and interest in all funds on deposit at USB Financial Services, Inc., held in the name of Kenneth E. Marsh, Account Number 8000178897-2, and all proceeds traceable there; (the "Forfeited Assets"), pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, as property which constitutes or is derived from proceeds traceable as a result of his violation of 18 U.S.C. § 1348, and/or as substitute assets pursuant to 21 U.S.C. § 853(p);

WHEREAS, legal notice of the forfeiture was published in this district on the official government website, [www.forfeiture.gov](http://www.forfeiture.gov), for thirty (30) consecutive days beginning on August 9, 2011 and ending September 7, 2011; and

WHEREAS, no third party has filed with the Court any petition or claim in connection with the Seized Funds and the time to do so has expired.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that pursuant to Title 21 United States Code, Section 853, the Preliminary Order of Forfeiture is hereby made final;

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that pursuant to 18 U.S.C. § 982 and 21 U.S.C. § 853(p), and the Preliminary Order of Forfeiture, all right, title, and interest in the Seized Funds is hereby condemned, forfeited, and vested in the United States of America.

IT IS FURTHER ORDERED that the United States Secret Service, and its duly authorized agents and contractors be, and hereby are, directed to dispose of the Seized Funds in accordance with all applicable laws and regulations.

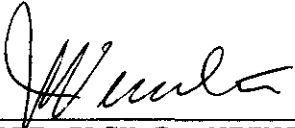
IT IF FURTHER ORDERED that all payments towards the Forfeiture Money Judgment shall be made by certified or bank check payable to the "United States Marshals Service," shall be sent to the attention of Special Assistant U.S. Attorney Karen R. Hennigan, Office of the United States Attorney, Eastern District of New York, 271 Cadman Plaza, 7<sup>th</sup> Floor, Brooklyn, New York 11201, and shall bear the docket number for this case. Interest shall accrue on any unpaid portion thereof at the judgment rate of interest from the date of sentencing. The United States shall be entitled to execute any unpaid portion of the Forfeiture Money Judgment pursuant to 21 U.S.C. §853(p), the Federal Debt Collection Procedure Act, or any other applicable law.

IT IS FURTHER ORDERED that the United States District Court for the Eastern District of New York shall retain jurisdiction in the case for the purpose of enforcing this Order.

IT IS FURTHER ORDERED that the Clerk of Court shall enter final judgment of forfeiture to the United States in accordance with the terms of this Order and the Preliminary Order of Forfeiture.

IT IS FURTHER ORDERED that the Clerk of Court shall send by inter-office mail three (3) certified copies of this executed Final Order of Forfeiture to the United States Attorney's Office, Eastern District of New York, 271 Cadman Plaza East, 7<sup>th</sup> Floor, Brooklyn, New York, 11201, ATTN: FSA Paralegal Yvette Ramos.

Dated: Brooklyn, New York  
June ~~14~~<sup>15</sup>, 2012



---

HONORABLE JACK B. WEINSTEIN  
UNITED STATES DISTRICT JUDGE